

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Nicholas Venduras	Team: Squad #16	CCRB Case #: 202104865	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 08/16/2021 7:16 PM, Monday, 08/16/2021 7:57 PM	Location of Incident: Marcus Garvey Boulevard and Park Avenue 81st Precinct stationhouse parking lot	18 Mo. SOL 2/16/2023	Precinct: 81		
Date/Time CV Reported Mon, 08/16/2021 8:10 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 08/16/2021 8:10 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. PO Claudia Bueno	02349	970431	081 PCT
2. PO Anthony Orlando	09744	964687	081 PCT
3. PO Kamrul Islam	29411	954964	081 PCT
4. LT Kareema Nevels	00000	931501	M COURT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. PO Dionis Bravo	04724	948693	081 PCT
2. PO Francesco Scalici	07889	966842	081 PCT
3. PO Amber Lagrandier	05373	940352	081 PCT

Officer(s)	Allegation	Investigator Recommendation
A. PO Anthony Orlando	Abuse: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Anthony Orlando stopped the vehicle in which § 87(2)(b) was an occupant.	
B. PO Claudia Bueno	Abuse: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Claudia Bueno stopped the vehicle in which § 87(2)(b) was an occupant.	
C. PO Anthony Orlando	Abuse: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Anthony Orlando frisked § 87(2)(b)	
D. PO Kamrul Islam	Abuse: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Kamrul Islam frisked § 87(2)(b)	
E. LT Kareema Nevels	Abuse: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Lieutenant Kareema Nevels seized § 87(2)(b) property.	
F. PO Kamrul Islam	Discourtesy: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Kamrul Islam spoke discourteously to § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
G.PO Kamrul Islam	Off. Language: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Kamrul Islam made remarks to § 87(2)(b) based upon race.	
H.PO Anthony Orlando	Abuse: In the 81st Precinct stationhouse parking lot, Police Officer Anthony Orlando searched the vehicle in which § 87(2)(b) was an occupant.	
I.PO Claudia Bueno	Abuse: In the 81st Precinct stationhouse parking lot, Police Officer Claudia Bueno searched the vehicle in which § 87(2)(b) was an occupant.	

Case Summary

On August 16, 2021, § 87(2)(b) filed this complaint on behalf of himself and his son, § 87(2)(b) via the CCRB on-line website.

On August 16, 2021, at approximately 7:16 PM, § 87(2)(b) was driving § 87(2)(b) vehicle with two unknown individuals near the intersection of Marcus Garvey Boulevard and Park Avenue in Brooklyn when Police Officer Anthony Orlando and Police Officer Claudia Bueno of the 81st Precinct pulled him over (**Allegations A & B: Abuse of Authority**, § 87(2)(g)).

Shortly after, Police Officer Kamrul Islam and Police Officer Francesco Scalici arrived on scene to assist, followed by Lieutenant Kareema Nevels, all of the 81st Precinct. The officers determined § 87(2)(b) car matched a vehicle connected to a shooting in the area about two days to two weeks earlier. The officers asked the three occupants of the vehicle to exit, and PO Orlando frisked § 87(2)(b) and PO Islam frisked the individual in the front passenger seat before transporting all of them to the stationhouse (**Allegations C & D: Abuse of Authority**, § 87(2)(g)). Lt. Nevels then instructed PO Bueno to drive § 87(2)(b) vehicle back to the stationhouse (**Allegation E: Abuse of Authority**, § 87(2)(g)).

While placing this passenger in handcuffs, PO Islam used a racial slur (**Allegations F: Discourtesy**, § 87(2)(g) & **Allegation G: Offensive Language**, § 87(2)(g)).

PO Orlando and PO Bueno searched § 87(2)(b) vehicle in the stationhouse parking lot (**Allegation H & I: Abuse of Authority**, § 87(2)(g)).

The three individuals received summonses for various Vehicle and Traffic Law violations and were later released. § 87(2)(b) received summonses for unlicensed operator, tinted windows, no distinctive plate, and not wearing a seatbelt (**Board Review 1 and Board Review 39**).

This case was originally assigned to Investigator Kee Busk and was reassigned to Investigator Nick Venduras.

The NYPD Legal Department provided 11 Body-Worn Camera (BWC) videos regarding this incident (**Board Review 2**).

Findings and Recommendations

Allegation A: Abuse of Authority: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Anthony Orlando stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation B: Abuse of Authority: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Claudia Bueno stopped the vehicle in which § 87(2)(b) was an occupant.

§ 87(2)(b) made a brief phone statement to the CCRB on November 10, 2021 (**Board Review 3**). PO Orlando and PO Bueno pulled him over while he was driving his father's gray Volkswagen Jetta with temporary North Carolina plates with a friend near the intersection of Marcus Garvey Boulevard and Park Avenue, approximately two blocks from his home. PO Orlando approached § 87(2)(b) at the driver's window and asked for his driver's license and registration. § 87(2)(b) understood tinted windows were the only reason for the initial

vehicle stop, but later the officers discovered a cover on the temporary license plate at the rear of the vehicle and noted that to § 87(2)(b) as well.

While § 87(2)(b) recalled only one friend in the vehicle, PO Orlando's BWC shows there was another male civilian in the back seat at timestamp 1:11, for a total of three civilians (**Board Review 4**). § 87(2)(b) did not identify the two passengers; thus, the two individuals with § 87(2)(b) were not interviewed by the CCRB.

§ 87(2)(b) provided a statement to the CCRB on September 23, 2021 (**Board Review 5**). § 87(2)(b) acknowledged that the vehicle's windows were heavily tinted and illegal. § 87(2)(b) was home when his son called and informed him about the vehicle stop. Before the call was disconnected, § 87(2)(b) heard the officers state his son did not have a seatbelt on, and they asked him to step out of the vehicle.

PO Orlando provided a statement on October 5, 2022 (**Board Review 6**). During this incident, PO Orlando saw § 87(2)(b) and two other civilians in § 87(2)(b) Volkswagen sedan. He thought he might have seen them get inside but was unsure. These men were known to the NYPD to be members of the Hollies Gang. PO Orlando knew them from his own research and previous interactions and knew they had previous gun charges. PO Orlando observed the vehicle had a license plate cover, tinted windows, and saw two of the occupants not wearing seatbelts. Due to these violations, PO Orlando effected a car stop.

On May 26, 2022, PO Bueno provided a statement to the CCRB (**Board Review 7**). PO Bueno did not remember why PO Orlando effected the vehicle stop as he never told her his observations and they had no conversations about it, but she did recall the tinted windows. PO Bueno did not see anything of note regarding the passenger in the back seat and did not recall what observations she made at the passenger side. She did not hear or later learn about the conversation between § 87(2)(b) and PO Orlando. In her interview, PO Bueno made no mention of recognizing any of the occupants.

At timestamp 1:03 of PO Bueno's BWC, the plastic covering over the rear license plate is visible on § 87(2)(b) vehicle as she approaches (**Board Review 8**). It also appears that the vehicle's windows and rear windshield are heavily tinted.

According to *New York Consolidated Laws, Vehicle and Traffic Law - VAT § 402(b)*, license plates cannot be covered by glass or any plastic material (**Board Review 9**). Additionally, unless medically exempt, *Section 375(12-b)(2)* no person shall operate any motor vehicle with the side windows that have a light transmittance of less than 70% and (3) if it is classified as a sedan, any rear side window with a light transmittance of less than 70% (**Board Review 10**). *New York Vehicle and Traffic Law §1229-c(3)* states that no one sixteen years of age or over shall be a passenger in a motor vehicle unless they are restrained by a safety belt (**Board Review 11**).

As shown in PO Buenos' BWC, § 87(2)(b) vehicle had a plastic covering over the rear license plate and dark tints on the windows, but due to the tints, it is unclear who was wearing a seatbelt at that moment. However, since the plastic covering on the license plate and the window tints are clearly visible when looking at the vehicle from the exterior, § 87(2)(g) This is further supported by § 87(2)(b) admission to illegally dark tints. § 87(2)(g)

Allegation C: Abuse of Authority: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Anthony Orlando frisked § 87(2)(b)

Allegation D: Abuse of Authority: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Kamrul Islam frisked § 87(2)(b)

Allegation E: Abuse of Authority: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Lieutenant Kareema Nevels seized § 87(2)(b) property.

§ 87(2)(b) said once he and PO Orlando spoke through the driver's window, the two officers walked to the rear of the vehicle to call back up (**Board Review 3**). Once both officers returned, PO Orlando asked § 87(2)(b) and his friend to exit the car and handcuffed them. Both § 87(2)(b) and his friend complied with the instructions and officers told § 87(2)(b) he would need to go to the stationhouse due to the violations.

Once he stopped § 87(2)(b) PO Orlando said he called a coworker, whose name he did not provide, to say he might have found a vehicle related to shooting in which nine people were shot approximately two blocks away (**Board Review 6**). He was unsure when this shooting happened but estimated it was one or two days earlier. PO Orlando received an email memo about a grey Volkswagen sedan near the shooting location which had an image of the vehicle. The vehicle had tinted windows in the image, but the license plate was not visible. When PO Orlando's coworker came to the scene, he told PO Orlando he spoke with detectives who wanted to bring the car and the occupants back to the stationhouse. PO Orlando did not provide the names of these detectives. PO Orlando then called his supervisor, Lt. Nevels, to his location. The civilians were then handcuffed prior to transporting them to the stationhouse as per procedure. PO Orlando handcuffed § 87(2)(b) and drove him back to the stationhouse but he did not learn anything further.

PO Bueno remembered PO Orlando called for backup, but he did not tell her that he was going to or his reasoning (**Board Review 7**). When additional officers arrived at the scene, the occupants of the vehicle were removed from the vehicle and handcuffed; however, PO Bueno did not know why they were handcuffed, nor did she herself place anyone in handcuffs. PO Bueno remembered Lt. Nevels instructed her to bring § 87(2)(b) car back to the stationhouse but gave no further instruction or explanation.

When § 87(2)(b) arrived at the intersection of Marcus Garvey Boulevard and Park Avenue, he said he saw marked and unmarked police vehicles with roughly six or seven officers (**Board Review 5**). Officers in the unmarked vehicles were just leaving as § 87(2)(b) arrived. PO Bueno told § 87(2)(b) to retrieve his vehicle from the 81st Precinct stationhouse and then she drove his vehicle away.

In his CCRB testimony, PO Islam stated that "at some point" he learned that the vehicle § 87(2)(b) was driving matched the description of a car on a wanted flier circulated within a week of the incident (a "grey BMW four door sedan"), involved in a shooting in the same sector a few days earlier (**Board Review 18**). However, PO Islam said that he was unsure if he learned about the wanted flier, and that the car stopped matched its description, before or after he responded to the car stop. To PO Islam's knowledge, the wanted flier about the car included a clear image of the vehicle which seemed to have come from some sort of surveillance footage. PO Islam did not recall if the wanted flier included a license plate number and did not think that the flier included a description of any individuals.

Upon arriving to the vehicle stop, PO Islam recognized § 87(2)(b) and the two passengers from "numerous" interactions in the courtyard of a nearby building where they "liked to hang out." PO Islam had not arrested § 87(2)(b) or either of the passengers but had stopped § 87(2)(b) in

2019 and had issued a summons to the passenger he ended up placing in handcuffs in 2018 or 2019. After Lt. Nevels arrived on the scene, Lt. Nevels and/or PO Orlando made the decision to bring § 87(2)(b) and the other occupants of the car back to the precinct stationhouse. PO Islam did not know what happened to the vehicle that was stopped after he left the scene. PO Islam did not know if the vehicle was brought back to the stationhouse.

On September 29, 2022, Lt. Nevels provided a statement to the CCRB (**Board Review 12**). Lt. Nevels stated that she responded to a radio run from PO Orlando about a car stop and when she arrived at the location, an officer informed her the vehicle was stopped for tinted windows, which she observed, and because the two passengers in the vehicle were not wearing seatbelts, which she did not recall seeing. Lt. Nevels did not check the transparency of the tint on the windows and did not know if any other officer did so either. Other than the seatbelts and tinted window, Lt. Nevels was not aware of the occupants committing any other crimes or violations.

Lt. Nevels determined § 87(2)(b) car matched the description of a dark Volkswagen four-door sedan from a wanted poster connected to a shooting approximately two weeks earlier in the 81st Precinct (**Board Review 12**). Lt. Nevels had previously seen this wanted poster within two weeks of this vehicle stop and officers showed her a copy of it on scene also. Lt. Nevels did not recall if the wanted poster contained a license plate number, perpetrators, or anything else other than general information about the vehicle's appearance. Beyond the vehicle's appearance, Lt. Nevels had no suspicion that the occupants of the vehicle were tied to the shooting as they did not display any suspicious behavior. Lt. Nevels then instructed the officers on scene to bring the vehicle and its occupants to the 81st Precinct stationhouse for further investigation regarding this shooting.

Lt. Nevels then drove to the 81st precinct stationhouse and informed the desk officer about the circumstances of the vehicle stop (**Board Review 12**). She did not search or enter § 87(2)(b) vehicle and was unaware if any other officers did so. She did not know how long it was at the 81st Precinct stationhouse and had no other information about what happened to the occupants after they arrived. Lt. Nevels did not believe she or any other officers determined that this vehicle was connected to the shooting.

The investigation requested this wanted poster from the NYPD on October 17, 2022. To date, the NYPD has not provided it, but it will be added to the case file upon receipt.

Both PO Orlando's and PO Scalici's BWC show how they determined § 87(2)(b) vehicle matched the vehicle wanted in connection to the shooting. In PO Orlando's BWC, he checks his phone at timestamp 1:52, and PO Scalici and PO Islam arrive at timestamp 2:15, with PO Scalici on his phone (**Board Review 4**). At timestamp 2:35, PO Orlando and PO Scalici speak about § 87(2)(b) vehicle and PO Scalici says he spoke to his female "boss," who is on her way. This is presumably Lt. Nevels, as she arrives shortly after. At timestamp 2:55, PO Orlando confirms he "ran" the car, and it comes back to a Volkswagen. About a minute later, at timestamp 3:50, PO Orlando says, "It's the same car." He then walks away to wait near § 87(2)(b) car.

PO Scalici's first of two BWC videos shows him with § 87(2)(b) driver's license and documentation spread out on the back of PO Orlando's RMP at timestamp 1:55 while PO Orlando is near § 87(2)(b) vehicle (**Board Review 13**). At timestamp 2:58, PO Scalici asks PO Islam who is nearby what "that thing from the squad" says. PO Islam hands him his phone but does not verbalize an answer and the phone is out of frame. As these two officers look at their phones, PO Islam says, "Yeah, that's it," at timestamp 3:08. At timestamp 3:11, PO Scalici says, "Look at the wheels," and PO Islam says something about the bumper cover, but it is unclear what he said. They

remain near the RMP's trunk without speaking with each other until timestamp 4:40 when PO Scalici turns his BWC off.

PO Scalici's second BWC, recorded about three minutes later begins with him inside Lt. Nevels' RMP (**Board Review 14**). He exits at timestamp 0:35 and walks towards PO Orlando near § 87(2)(b) car but audio is not captured until timestamp 1:00. When the audio is captured, PO Orlando opens the door and asks § 87(2)(b) to exit. At timestamp 1:14, he and PO Orlando handcuff § 87(2)(b). At timestamp 1:33, PO Scalici asks the rear passenger to step out, who asks why as he unclips his seatbelt before exiting. PO Scalici handcuffs this individual at timestamp 1:54 and walks him to his unmarked RMP. At timestamp 3:14, PO Scalici places this individual inside an unmarked RMP and at timestamp 5:42, PO Scalici gets in the rear seat of the RMP and transports the civilian back to the stationhouse.

PO Orlando's BWC captured PO Scalici walking over after exiting Lt. Nevels' RMP and saying "92 Charlie" at timestamp 9:05, indicating an arrest (**Board Review 4**). PO Orlando then brings § 87(2)(b) to his RMP and pats down § 87(2)(b) pants and jacket pockets at timestamp 10:15. It does not appear that PO Orlando removes anything from § 87(2)(b) clothing or reach inside any pockets. PO Orlando then moves § 87(2)(b) to another RMP at the direction of Lt. Nevels and transports him to the stationhouse for processing without issue.

While PO Orlando is with § 87(2)(b) at his RMP, PO Islam's second of two BWC recordings show him asking the front passenger to exit the vehicle at 1:46 (**Board Review 15**). He handcuffs this individual and at 4:00, he pats down the individual's pants and sweatshirt pockets but does not appear to reach inside.

Patrol Guide 208-03 instructs officers to "immediately field search/frisk prisoner and search adjacent vicinity for weapons, evidence, and/or contraband" once an arrest is made and the prisoner is in handcuffs (**Board Review 16**). Patrol Guide 212-11 defines a frisk as the careful "limited running of the hands over the outside of a person's clothing feeling for a deadly weapon or any instrument, article or substance readily capable of causing serious physical injury and of a sort not ordinarily carried in public places by law-abiding persons" (**Board Review 17**).

Since the three occupants were handcuffed and being transported to the stationhouse, § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

In terms of the seizure of § 87(2)(b) vehicle, several factors remain unknown. Without further documentation regarding the shooting or the wanted poster/memo, details about the conversation between officers on scene and the detectives investigating the shooting, or the identity of these detectives, the investigation was unable to determine exactly how the decision was made to bring § 87(2)(b) vehicle to the stationhouse. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation F: Discourtesy: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Kamrul Islam spoke discourteously to § 87(2)(b)

Allegation G: Offensive Language: At Marcus Garvey Boulevard and Park Avenue in Brooklyn, Police Officer Kamrul Islam made remarks to § 87(2)(b) based upon race.

At timestamp 2:08 of PO Islam's second of two BWC videos, PO Islam says, "I'm not your nigga, alright," in response to the front passenger's use of the term when complaining about being handcuffed (**Board Review 15**).

In his statement to the CCRB on October 5, 2022, PO Islam said he felt that the passenger's language was offensive, and he should not have to be referred to in such a manner (**Board Review 18**). PO Islam used the slur because he was "reflecting the language" of the passenger back to him and had no other reason.

Patrol Guide 203-10 prohibits the use of "discourteous or disrespectful remarks regarding another person's ethnicity, race, religion, gender, gender identity/expression, sexual orientation, or disability" (**Board Review 19**).

§ 87(2)(g)

Allegation H: Abuse of Authority: In the 81st Precinct stationhouse parking lot, Police Officer Anthony Orlando searched the vehicle in which § 87(2)(b) was an occupant.

Allegation I: Abuse of Authority: In the 81st Precinct stationhouse parking lot, Police Officer Claudia Bueno searched the vehicle in which § 87(2)(b) was an occupant.

§ 87(2)(b) said PO Orlando transported him and his friend to the stationhouse while PO Bueno drove § 87(2)(b) car back to the stationhouse. Right as the officers were leaving the scene § 87(2)(b) arrived (**Board Review 3**). Once § 87(2)(b) arrived at the stationhouse, he spoke with an unknown officer who asked § 87(2)(b) about potential involvement or witness to local crimes for approximately 20 to 25 minutes. After another hour, § 87(2)(b) remembered he received a desk appearance ticket for driving without a license, his tints, and a covered license plate and then went home. § 87(2)(b) did not see anyone search his father's vehicle.

The tour 3 command log on August 16, 2021, shows three arrest entries related to the vehicle stop on pages 2 and 3 (**Board Review 20**). § 87(2)(b) received two summonses, one for the license plate being covered by the plastic laminate and another for not wearing a seatbelt (**Board Review 1**). Based on the location of arrest and the arresting officer noted (PO Orlando) in the command log, the investigation identified § 87(2)(b) and § 87(2)(b) as the passengers in § 87(2)(b) vehicle. However, the investigation was unable to identify where they sat in the vehicle. The command log also noted that § 87(2)(b) and § 87(2)(b) were released with "B" summonses; it was noted that § 87(2)(b) charge was a VTL violation for seatbelt. The investigation is not in possession of § 87(2)(b) and § 87(2)(b) summonses.

§ 87(2)(b) said he arrived at the 81st Precinct stationhouse at approximately 7:30 PM, where he saw his vehicle in the parking lot (**Board Review 5**). About 20 minutes later, § 87(2)(b) walked outside where he saw approximately two officers in the backseat area of his car. Due to the dark tints, he could not see what the officers were doing. He estimated they were in his car for about 20 minutes and assumed they were searching his car for guns or weapons. § 87(2)(b)

§ 87(2)(b) did not stay outside long because two officers outside the stationhouse made § 87(2)(b) uncomfortable by the way they were staring at him. § 87(2)(b) wife, § 87(2)(b) was with him and saw most of the search and recorded it on her phone.

The investigation requested this video from § 87(2)(b) and § 87(2)(b) throughout the investigation, but they did not provide the video to the investigation.

On October 14, 2022, § 87(2)(b) provided a statement to the CCRB (**Board Review 21**). At the 81st Precinct stationhouse, § 87(2)(b) saw five officers around § 87(2)(b) vehicle, but only two were inside searching it. She described one of the officers as a Hispanic or white male, in uniform, in his 20s, standing 5'8" tall, with an average build, low cut hair and the other officer as a Hispanic or white female in her 30s, standing 5'3", with an average build and a ponytail. § 87(2)(b) saw these officers search the trunk and the front and back seats for about ten minutes but from where she was, she could not see exactly what they were doing.

PO Bueno's MOS photo generally matches § 87(2)(b) description as she is a Hispanic female in her mid-20s and 5'2" tall (**Board Review 22**). Additionally, PO Bueno has her hair in a ponytail, as shown in PO Orlando's BWC at timestamp 2:36 (**Board Review 4**). When filing this complaint, § 87(2)(b) provided a photograph of an officer leaning into the backseat of his car in what appears to be the 81st Precinct stationhouse's parking lot (**Board Review 23**). The image does not show the face of the officer leaning inside.

PO Orlando said he conducted a vehicle search and believed PO Bueno searched it as well (**Board Review 6**). He searched the inside of the car, on the sides of the doors, under and between the seats, in the glove compartment, and under the center console. The trunk was also searched. PO Orlando did not recall if he recovered anything. Detectives came out to see if the vehicle was involved with the shooting but did not search it.

According to PO Orlando, a vehicle search is always conducted when a vehicle is brought back to the stationhouse to check for any valuable items or contraband (**Board Review 6**). Taking this inventory was the only reason to search § 87(2)(b) vehicle. There is no documentation for this because normally a BWC recording is made, but PO Orlando did not know if he needed to make a recording for the car search at the time. PO Orlando did not prepare any other documentation other than his memo book. PO Orlando's memo book has an entry for this stop, stating the occupants were brought to the stationhouse for summonses (**Board Review 24**). It makes no mention of an inventory search of the vehicle.

PO Bueno stated she did not search § 87(2)(b) vehicle, nor did she know if anyone else did so (**Board Review 6**). PO Bueno did not know the reason for such a search and did not know what the occupants were charged with. PO Bueno's memo book makes no mention of an inventory search either (**Board Review 25**).

PO Islam did not know what happened to the vehicle once he left the scene (**Board Review 18**). Further, PO Islam did not know if the vehicle was brought back to the stationhouse. He neither entered nor searched § 87(2)(b) vehicle and he did not see any other officers search it.

Lt. Nevels' BWC shows once all occupants are out of § 87(2)(b) vehicle at the intersection of Marcus Garvey Boulevard and Park Avenue, Lt. Nevels closes the rear driver's door and front passenger door beginning at timestamp 2:43 (**Board Review 26**). At timestamp 3:04, she walks to the driver's door and gets close, but the angle does not show what she is doing; however, she has Volkswagen keys in her hand at timestamp 3:26, so it appears she removed the keys from

inside. At timestamp 3:27, she coordinates with officers as to which RMP the civilians will be transported in since not all have partitions inside.

At timestamp 4:10 of Lt. Nevels' BWC, she tells § 87(2)(b) that his father can pick up the car at the stationhouse (**Board Review 26**). At timestamp 4:23, she tells PO Bueno to take § 87(2)(b) car and officers can transport the civilians in her vehicle. She then gives PO Bueno the Volkswagen keys and gets inside PO Orlando's RMP at timestamp 5:32 and turns off her BWC at timestamp 5:49. Lt. Nevels does not say why the vehicle is being seized.

PO Bueno's BWC shows her driving § 87(2)(b) vehicle back to the stationhouse beginning at timestamp 12:49 (**Board Review 8**). At timestamp 14:22, § 87(2)(b) can be heard off camera telling PO Bueno that she is driving his car. § 87(2)(b) asks where he can pick up the car and PO Bueno tells him the 81st Precinct.

There is no BWC or other video footage of the vehicle search at the stationhouse.

Based on PO Orlando's and § 87(2)(b) statements, coupled with the fact that PO Bueno was partnered with PO Orlando, the investigation determined by a preponderance of the evidence that PO Bueno searched the vehicle with PO Orlando in the parking lot of the 81st Precinct stationhouse.

As noted above, there are no entries regarding this vehicle search in either PO Orlando's or PO Bueno's memo books (**Board Review 24 & Board Review 25**). The Command Log does not list a vehicle search and the NYPD returned a property voucher request with negative results (**Board Review 20 & Board Review 27**). It appears this search was not documented.

Patrol Guide 218-13 instructs officers to conduct an inventory search whenever any property comes into the custody of the NYPD (**Board Review 28**). It requires a thorough search of the interior and should include any area potentially containing any valuables, including but not limited to, the glove compartment, console, map pockets in or on doors and rear or side of seats, areas under the seats and in and around the seat stuffing and springs, under the floor mats, under and behind the dashboard, inside the ashtrays, in the air vents where accessible, under the hood, and the trunk. These searches are done to "protect property, ensure against unwarranted claims of theft, and protect uniformed members of the service and others against dangerous instrumentalities." Any valuables removed are to be noted on a Property Clerk Invoice (PD521-141) and any property of little value left inside the vehicle must be documented in the officer's activity log or memo book.

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) has been a party (**Board Review 29**).
- This is the first complaint to which § 87(2)(b) has been a party (**Board Review 30**).
- Lieutenant Kareema Nevels has been a member of service for 20 years and has been the subject in two other CCRB complaints and three other allegations, none of which were

substantiated. § 87(2)(g)

- Police Officer Anthony Orlando has been a member of service for five years and has been the subject in three other CCRB complaints and nine other allegations, none of which were substantiated. § 87(2)(g)
- Police Officer Claudia Bueno has been a member of service for one year and this is the first CCRB complaint to which she has been a subject (**Board Review 33**).
- Police Officer Kamrul Islam has been a member of service for nine years and has been the subject in two other cases and ten other allegations, five of which were substantiated. § 87(2)(g)
 - 201907149 involved five substantiated allegations of stops against PO Islam. The NYPD has yet to impose discipline.

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- On July 22, 2022, a Notice of Claim inquiry was sent to the NYC Office of the Comptroller. On July 25, 2022, the NYC Office of the Comptroller stated no notices of claim filed by § 87(2)(b) were located for this incident (**Board Review 35**).
- On November 28, 2022, a second Notice of Claim inquiry was sent to the NYC Office of the Comptroller with specific attention to § 87(2)(b) (**Board Review 36**). The results will be added to the case file upon receipt.

• [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad: 16

Investigator:	<u>Nick Venduras</u>	<u>Inv. Nicholas Venduras</u>	<u>12/01/2022</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Patrick Yu</u>	<u>IM Patrick Yu</u>	<u>12/02/2022</u>
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date